

CITY OF KNOXVILLE, TENNESSEE
CITY COUNCIL
AGENDA INFORMATION SHEET



AGENDA DATE: Tuesday, January 10, 2012
DEPARTMENT: Metropolitan Planning Commission
EXEC. DIRECTOR: Mark Donaldson, 215-3758

AGENDA SUMMARY

An Ordinance to APPROVE the closure of Peyton Manning Pass from Volunteer Boulevard to Phillip Fulmer Way, University of Tennessee Applicant. (File No. 10-B-11-SC)

COUNCIL DISTRICT(S) AFFECTED

The proposed street closure is located in Council District 1.

BACKGROUND

UT is requesting the closures of Phillip Fulmer Way (10-A-11-SC), Peyton Manning Pass (10-B-11-SC) and Tee Martin Dr. (11-A-11-SC). Closure of these streets as public rights-of-way will result in the streets becoming private streets to be maintained by the University of Tennessee.

OPTIONS

- 1. Approve First Reading 2. Approve on Emergency 3. Deny 4. Postpone for future consideration

RECOMMENDATION

The Metropolitan Planning Commission recommended APPROVE the closure by a vote of 13-0 (Consent).

ESTIMATED PROJECT SCHEDULE

Not applicable.

PRIOR ACTION/REVIEW

Ads Published

MPC Meeting	12/8/2011	Published ad on	11/4/2011
Knoxville City Council	1/10/2012	Published ad on	12/16/2011

FISCAL INFORMATION

Not applicable.

ATTACHMENTS

MPC Staff Report.

*Respectfully submitted:
Mark Donaldson, Executive Director*

ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO CLOSE PEYTON MANNING PASS FROM VOLUNTEER BOULEVARD TO PHILLIP FULMER WAY, AND AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS TO THE ADJACENT PROPERTY OWNERS, THE UNIVERSITY OF TENNESSEE, APPLICANT. (FILE NO. 10-B-11-SC)

ORDINANCE NO: _____

REQUESTED BY: MPC

PREPARED BY: Law

APPROVED ON 1ST

READING: _____

APPROVED ON 2ND

READING: _____

APPROVED AS AN EMERGENCY

MEASURE: _____

MINUTE BOOK: _____ PAGE _____

WHEREAS, the University of Tennessee filed Application No. 10-B-11-SC with the Metropolitan Planning Commission to close Peyton Manning Pass from Volunteer Boulevard to Phillip Fulmer Way, hereinafter more particularly described; and

WHEREAS, the Metropolitan Planning Commission and the Department of Engineering have approved said closure subject to the retention of any drainage and utility easements; and

WHEREAS, public notice of the hearing by the Metropolitan Planning Commission was published in the Knoxville News Sentinel on November 4, 2011, and notice of the hearing by City Council on January 10, 2012 was published in the Knoxville News Sentinel on December 16, 2011.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: That Peyton Manning Pass be closed from Volunteer Boulevard to Phillip Fulmer Way, which closure is more particularly described as follows:

Situated in the Fourth (4th) Civil District of Knox County, Tennessee, in Ward Ten (10), City Blocks 10720, 10820, and 10840 of the City of Knoxville, being all the right-of-way of Peyton Manning Pass (formerly Yale Avenue), a public street, between Volunteer Boulevard and Phillip Fulmer Way, and being more particularly described as follows:

BEGINNING at the intersection of Peyton Manning Pass and the east line of Volunteer Boulevard produced; Thence, Eastward with the full width of Peyton Manning Pass, approximately 120 feet to a bend in the road at the intersection with Circle Park Drive (closed by Ordinance 6015); Thence, continuing with the full width of Peyton Manning Pass, Northeastward approximately 400 feet to the intersection with the southwest line of Phillip Fulmer Way produced.

Easements are reserved for all utilities, if any, located in or within five (5) feet of the property described herein.

Reference is made to Map B-7220-K on file with the City Engineering Department.

SECTION 2: After the effective date of said closure, upon application of the adjacent property owners, the Mayor is hereby authorized to execute and deliver quitclaim deeds conveying the City's interest in the aforesaid closure in conformity with this Ordinance and as the interests of the adjacent property owners may appear.

SECTION 3: This Ordinance shall take effect seventeen (17) days from and after its passage, the public welfare requiring it.

Presiding Officer of the Council

City Recorder

K:\COUNCIL\ORD\MPC\STCLOSE\2012\UT - Peyton Manning Pass - 10-B-11-SC.doc



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY**

▶ **FILE #:** 10-B-11-SC **AGENDA ITEM #:** 8

POSTPONEMENT(S): 10/13/11 **AGENDA DATE:** 12/8/2011

▶ **APPLICANT:** UNIVERSITY OF TENNESSEE

TAX ID NUMBER: 108 F C 004
 JURISDICTION: Council District 1
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: O-2 (Civic and Institutional)
 WATERSHED: Tennessee River

▶ **RIGHT-OF-WAY TO BE CLOSED:** Peyton Manning Pass

▶ **LOCATION:** Between Volunteer Boulevard and Phillip Fulmer Way

IS STREET:
 (1) IN USE?: Yes
 (2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** This City street is completely contained within the boundaries of the UT campus. Two major capital projects shall commence within the next year, which will have a major impact on the utilization of this street. In addition, this street is within the security perimeter of Neyland Stadium. Future renovation projects at the stadium will also impact the utilization and potential design of the street. Based on these factors, it is the appropriate time for UT to assume operations of the street. Furthermore, in accordance with the UT Master Plan, this street configuration will change based on construction and other roadway initiatives.

DEPARTMENT-UTILITY REPORTS: No objections have been received by staff as of 12/1/11.

STAFF RECOMMENDATION:

▶ **RECOMMEND** that City Council **APPROVE** the closure of Peyton Manning Pass, subject to any required easements.

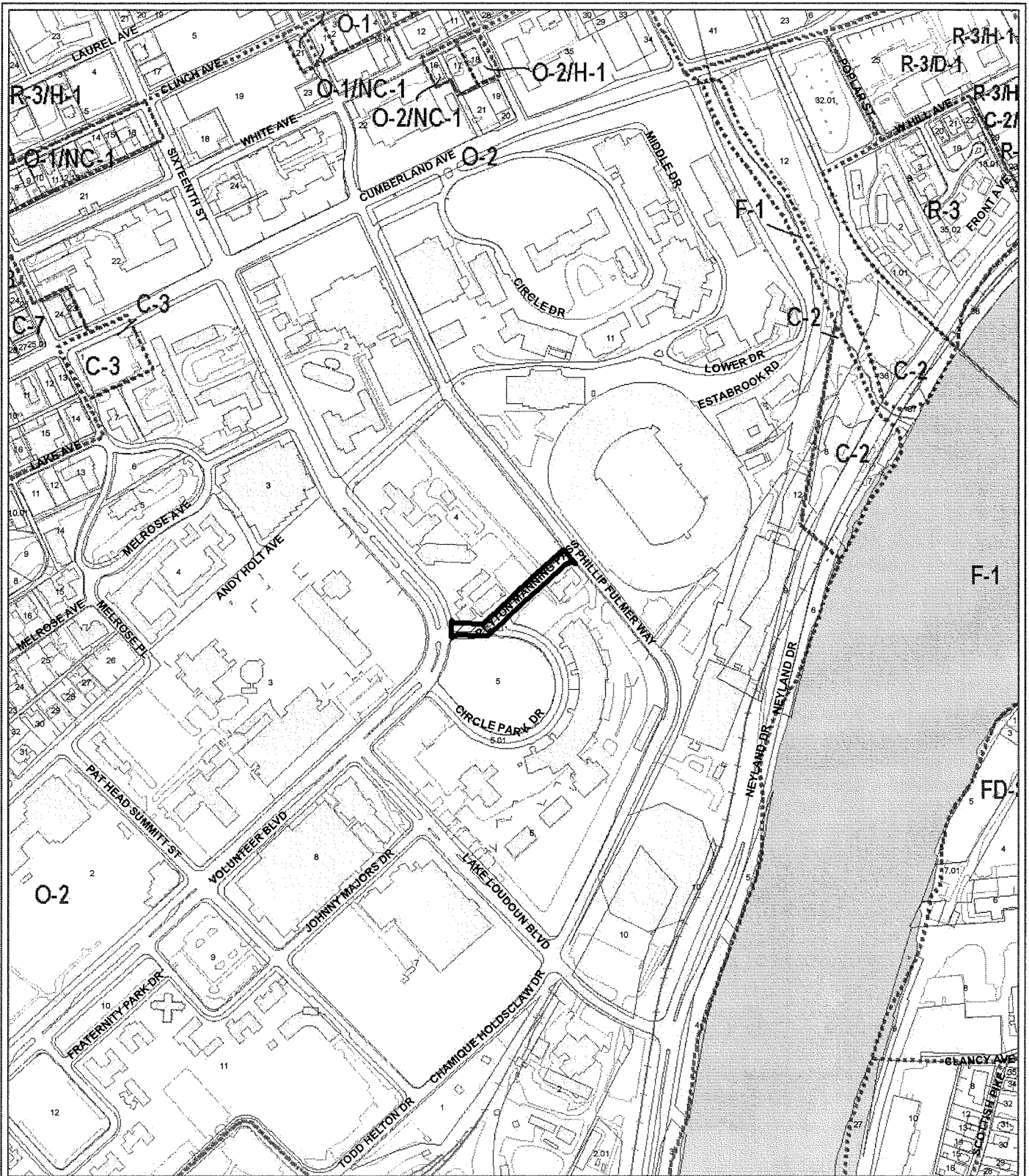
Staff has received no objections to this closure. The University of Tennessee owns all the property fronting along this right-of-way.

COMMENTS:

UT is requesting the closures of Phillip Fulmer Way (10-A-11-SC), Peyton Manning Pass (10-B-11-SC) and Tee Martin Dr. (11-A-11-SC). Closure of these streets as public rights-of-way will result in the streets becoming private streets to be maintained by the University of Tennessee.

If approved, this item will be forwarded to Knoxville City Council for action on 1/10/2012 and 1/24/2012. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the

appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



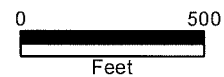
**10-B-11-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Peyton Manning Pass
 To be closed from: Volunteer Boulevard
 To be closed to: Phillip Fulmer Way

Original Print Date: 9/28/2011 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: University of Tennessee

Map No: 108
 Jurisdiction: City





Knoxville Utilities Board

September 9, 2011



Mr. Mike Brusseau
Knoxville-Knox County
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37902

Dear Mr. Brusseau:

Re: Right-of-Way Closure Request 10-B-11-SC
Block No. 10720 to 10820
CLT No. 108
Parcel No. 4 to 6

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate location of these facilities is indicated on the enclosed prints. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not shown on these prints.

Should this right-of-way be closed, KUB will require the following permanent easement for its utility facility.

Gas – 7.5 feet on each side of the centerline of the gas line, 15 feet total width
Sewer – 7.5 feet on each side of the centerline of the wastewater line, 15 feet total width
Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width

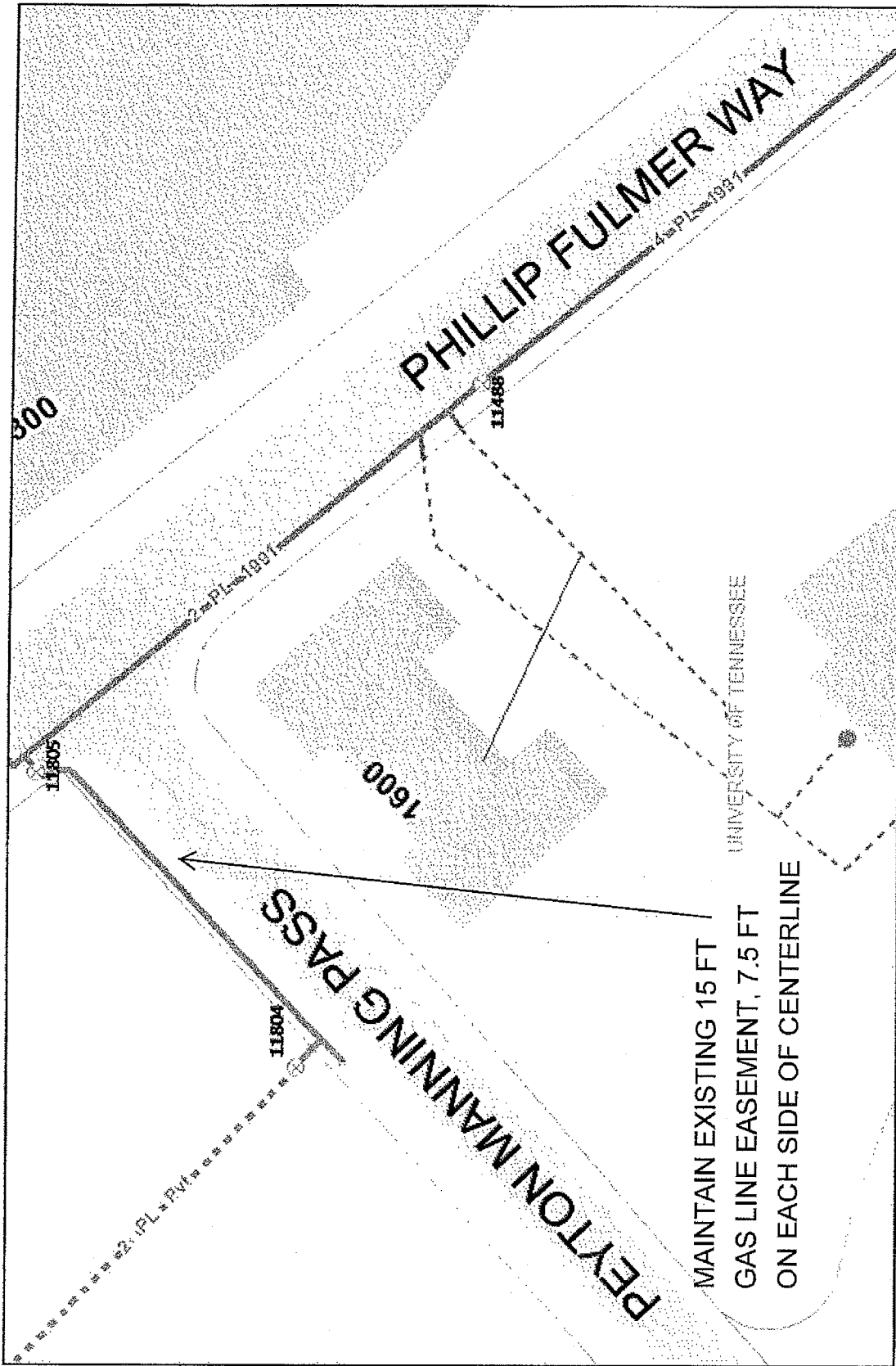
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

glp/ggt

Enclosure



Filed: 09/08/2011 13:42 PM

Peyton Manning Pass - Street Closure File No. **10-B-11-SC** Gas



CLT MAP #108

PARCEL(S) #4 & #6

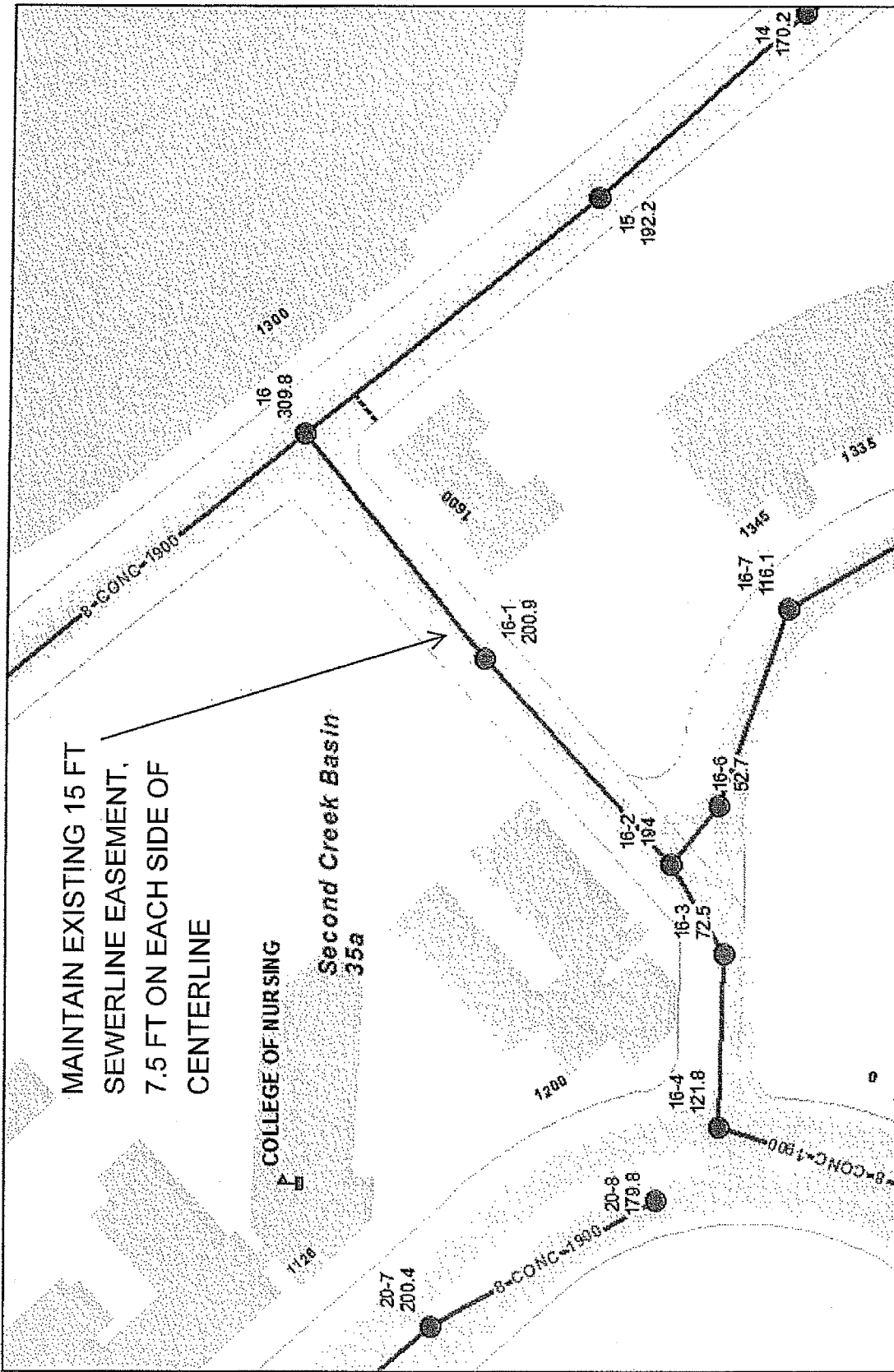
CITY BLOCKS #10720 & #10820

100 Feet



Knoxville Utilities Board

Product Warning: This map was produced from the Landbase Information system maintained by KUB. This map should not be relied on for engineering, design, or surveying work or other similar type uses. The information on this map is dated and has no warranty of merchantability or warranty for fitness of use for a particular purpose, express or implied. This map is produced, printed, and distributed as is, with all faults.



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Peyton Manning Pass - Street Closure File No. 10--B-11-SC Sewer

CITY BLOCKS #10720 & #10820

PARCEL(S) #4 & #6

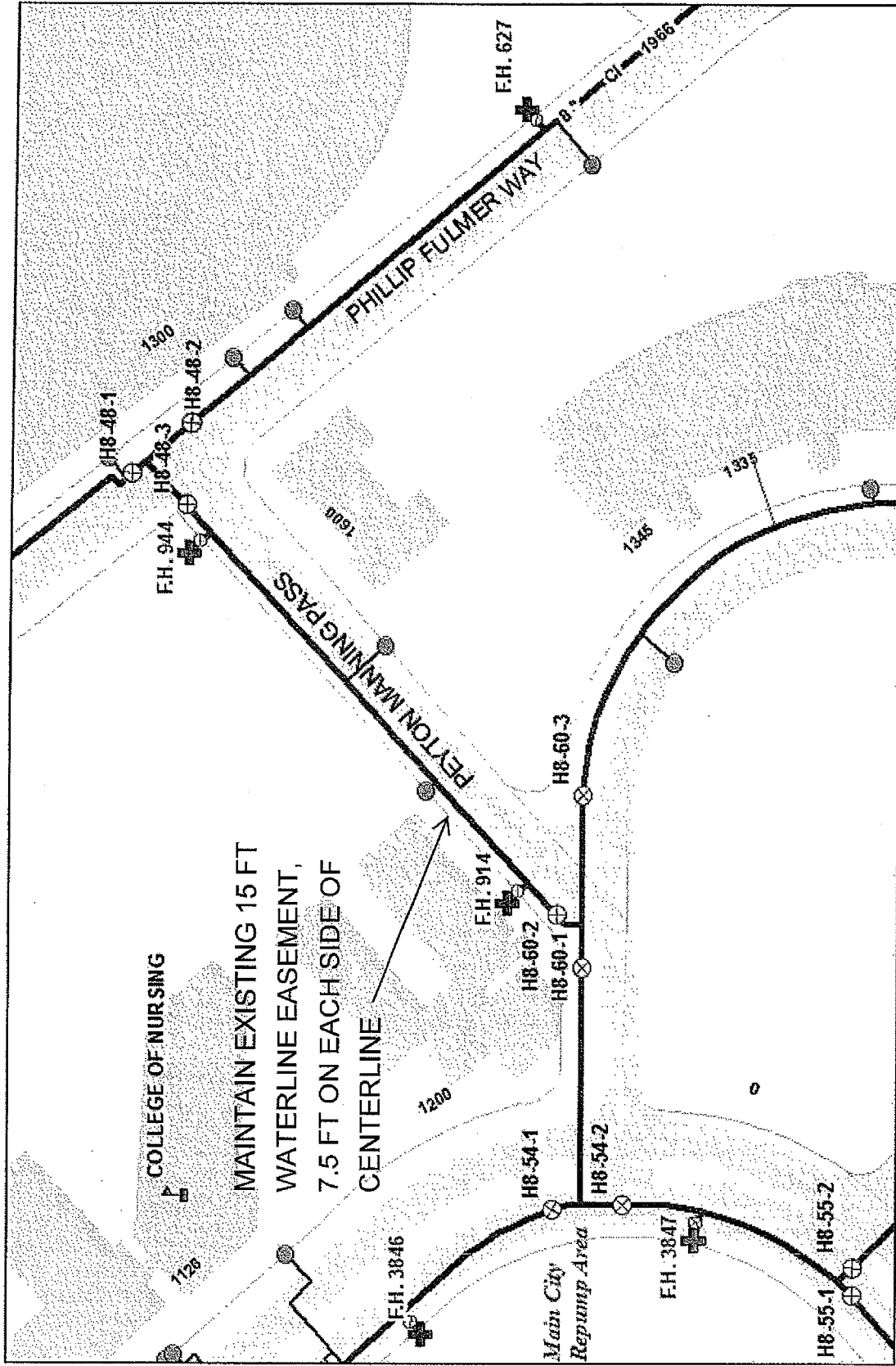
CLT MAP #108

250 Feet



Knowville Utilities Board

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COLLEGE OF NURSING

MAINTAIN EXISTING 15 FT
WATERLINE EASEMENT,
7.5 FT ON EACH SIDE OF
CENTERLINE

Main City
Repump Area



Peyton Manning Pass - Street Closure File No. **10--B-11-SC** Water
 CLT MAP #108 PARCEL(S) #4 & #6 CITY BLOCKS #10720 & #10820



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KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N
T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
365 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

Minutes (Unapproved)

December 8, 2011

1:30 P.M. ◊ Main Assembly Room ◊ City County Building

The Metropolitan Planning Commission met in regular session on December 8, 2011 at 1:30 p.m. in the Main Assembly Room, City/County Building, Knoxville, Tennessee.
Members:

	Mr. Robert Anders, Chair		Mr. Michael Kane
A	Ms. Ursula Bailey	A	Mr. Nate Kelly
	Mr. Bart Carey	**	Mr. Robert Lobetti
	Ms. Laura Cole		Ms. Rebecca Longmire, Vice Chair
	Mr. Art Clancy		Mr. Brian Pierce
	Ms. Jeff Roth		Mr. Jack Sharp
	Mr. George Ewart		Mr. Wes Stowers
	Mr. Stan Johnson		

* Arrived late to the meeting.

** Left early in the meeting.

A – Absent from the meeting

* **8. UNIVERSITY OF TENNESSEE**

10-B-11-SC

Request closure of Peyton Manning Pass between Volunteer Boulevard and Phillip Fulmer Way, Council District 1.

STAFF RECOMMENDATION: Approve.

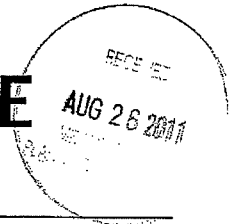
MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO APPROVE CONSENT ITEMS AS READ. MOTION CARRIED 13-0. APPROVED.

KNOXVILLE-KNOX COUNTY

M P C METROPOLITAN PLANNING COMMISSION TENNESSEE

Suite 403 · City County Building
400 Main Street
Knoxville, Tennessee 37902
865 · 215 · 2500
FAX · 215 · 2068
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RIGHT-OF-WAY CLOSURE



Name of Applicant: University of Tennessee

Date Filed: 08/25/11

Fee Paid: 750.00

File Number: 10-B-11-54

Map Number: 108 Zoning District: 02 City County Sector: Central

Jurisdiction: City 1 Councilmanic District

INFORMATION:

Name of Right-of-Way: Peyton Manning Pass

Type of Right-of-Way: Street Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) Volunteer Boulevard

AND (City Block or Lot where appropriate) Phillip Fulmer Way

Right-of-Way is: In Use Yes No Improved (example: paved) Yes No

Reason for Closure: This city street is completely contained within the boundaries of the University of IN campus
Two major capital projects shall commence within the next year and these projects will have a major impact on the utilization of this street. In addition, this street is within the security perimeter of Neyland stadium. Future renovation projects at the stadium will also impact the utilization and potential design of the stadium. Based on these factors, it is the appropriate time for the University to assume operations of the street. Furthermore, in accordance to the long range Master Plan, this street configuration will change based on construction and other roadway initiatives.

TO BE CLOSED:

From: (Street, Alley, Other)
Volunteer Boulevard

To: (Street, Alley, Other)
Phillip Fulmer Way

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Jeff Maples 405B Andy Holt Tower, Knoxville, TN 37996-0145 974-3061/974-3536
Name: (Print) Address · City · State · Zip · Phone · Fax

AUTHORIZATION OF APPLICATION:

I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature:

Jeff Maples 405B Andy Holt Tower, Knoxville, TN 37996-0145 974-3061/974-3536
Name: (Print) Address · City · State · Zip · Phone · Fax

APPLICATION ACCEPTED BY:

PUBLIC NOTICE

The following items will be considered by the Knoxville City Council on January 10, 2012, at 7:00 p.m. in the Main Assembly Room, City County Building, 400 Main Street, Knoxville, TN. Data pertinent to these items may be seen in the office of the MPC, Fourth Fl. of the City County Bldg., Main St., Knoxville, TN. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at 215-2104.

**Ordinance Amendment
KNOXVILLE CITY**

COUNCIL - Amendments to the City of Knoxville Zoning Ordinance regarding electric security fences. MPC Recommendation: Approve.

Street Closures

UNIVERSITY OF TENNESSEE - Request closure of Phillip Fulmer Way between Cumberland Avenue and Lake Loudoun Boulevard, Council District 1. MPC Recommendation: Approve.

UNIVERSITY OF TENNESSEE - Request closure of Peyton Manning Pass between Volunteer Boulevard and Phillip Fulmer Way, Council District 1. MPC Recommendation: Approve.

UNIVERSITY OF TENNESSEE - Request closure of Tee Martin Dr. between Phillip Fulmer Way and east terminus, Council District 1. MPC Recommendation: Approve.

Rezoning

GERALD BOURSE - North side S. Middlebrook Pike, south side N. Middlebrook Pike, west side Henson Rd., Council District 2. Rezoning from I-2 (Restricted Manufacturing and Warehousing) to C-6 (General Commercial Park). MPC Recommendation: Approve.

HARVEY BUDDY BOWMAN - Northwest side Dutch Valley Dr., northeast of Eagan St., Council District 3. Rezoning from R-1 (Low Density Residential) to R-2 (General Residential). MPC Recommendation: Approve.

SAMUEL J. FURROW - East side Simmons Rd., north side I-40/75, south of Lexington Dr., Council District 2. Rezoning from C-6 (General Commercial Park) / TO-1 (Technology Overlay) to I-3 (General Industrial) / TO-1 (Technology Overlay). MPC Recommendation: Approve.